



Committee on Public Works

~AGENDA~

Monday, March 4, 2019

11:00 AM

Committee Chair: MaryJane Shimsky

Committee Room, 148 Martine Avenue, 8th Floor, White Plains, NY 10601

www.westchesterlegislators.com

CALL TO ORDER

Joint meeting with the Committee on Budget & Appropriations

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

1. **(ID # 11003) Act – BOND ACT-BEL01-Purchase of Voting Machines:**

A BOND ACT authorizing the issuance of SIX MILLION ONE HUNDRED FORTY-SIX THOUSAND (\$6,146,000) DOLLARS in bonds of Westchester County to finance Capital Project BEL01 - Purchase of Voting Machines.

II. OTHER BUSINESS

Unfinished Business and any other agenda items to come before the Committee.

III. RECEIVE & FILE

ADJOURNMENT

Reference BEL01

**HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER, NEW YORK**

Your Committee is in receipt of a transmittal from the County Executive recommending approval of a bond act (the "Bond Act") in the amount of \$6,146,000 to finance Capital Project BEL01 – Purchase of Voting Machines ("BEL01"). The Bond Act, which was prepared by the law firm of Hawkins, Delafield & Wood LLP, is required to fund the purchase of additional voting machines for the County Board of Elections (the "BOE") as stipulated in the Help America Vote Act ("HAVA").

The BOE has advised that these new upgraded Dominion Voting Systems Corp. ImageCast Evolution voting machines would replace the current ImageCast Ballot Marking Devices. The BOE would like to purchase 420 of the new voting machines as soon as they pass full certification by the New York State Board of Elections which is expected to be in June 2018. These new voting machines, called the Image Cast Evolution, would replace the older ADA compliant Image Cast Precinct Ballot Marking Devices which are currently used in all polling sites throughout the County.

The BOE has further advised that it will take approximately 2 to 4 months to purchase and install the voting machines once bonding authorization is received.

Your Committee notes that this Honorable Board previously authorized the County to issue bonds for prior components of this project as follows: Bond Act No. 68-2008, in the amount of \$472,000 which funded the purchase of ADA-compliant voting machines and ancillary equipment; and Bond Act No. 12-2010 in the amount of \$2,002,000 which funded the cost of additional voting machines and ancillary equipment and supplies.

The Planning Department has advised that based on its review, the above referenced capital project has been classified as a Type "II" action pursuant to the State Environmental Quality Review Act ("SEQRA") and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required. Your Committee has reviewed the annexed SEQRA documentation and concurs with this conclusion.

Please note that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to adopt the Bond Act. Your Committee has carefully considered and recommends approval of the annexed proposed Bond Act.

Dated: 7/30, 2018
White Plains, New York

COMMITTEE ON

C/JPG/4.10.18

Wendy Mills (w.o.p.)
Catherine Park
Marilyn Barr
Margaret A. Cyio
Benjamin Bayliss
Catherine Parker (wop)
Jeffrey Williams

Budget & Appropriations

Mary Jane Almad
Marilyn Barr
Benjamin Bayliss
Catherine Parker (wop)

Public Works

Attachment: BOND ACT-BEL01-Purchase of Voting Machines-FINAL (11003 : BOND ACT-BEL01-Purchase of Voting Machines)

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BEL01

NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

Source of County Funds (check one):

Current Appropriations

Capital Budget Amendment

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 6,146,000 PPU 10 Anticipated Interest Rate 2.21%

Anticipated Annual Cost (Principal and Interest): \$ 689,282

Total Debt Service (Annual Cost x Term): \$ 6,892,818

Finance Department: Interest rates from 5-14-2018 Bond Buyer - jrf9

SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations

(describe in detail for current and next four years):

SECTION D - EMPLOYMENT

As per federal guidelines, each \$92,000 of appropriation funds one FTE Job

Number of Full Time Equivalent (FTE) Jobs Funded: NA

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Joe Vittoria/Lucy Mastrogiacomo

Title: Budget

Department: BOE

Date: 5/17/18

Reviewed By: 

Budget Director


Date: 5/18/18

Attachment: BOND ACT-BEL01-Purchase of Voting Machines-FINAL (11003 : BOND ACT-BEL01-Purchase of Voting Machines)



Memorandum
Department of Planning

TO: Michelle Greenbaum, Assistant County Attorney.
Jeffrey Goldman, Assistant County Attorney

FROM: David S. Kvinge, AICP, RLA, CFM 
Director of Environmental Planning

DATE: April 13, 2018

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BEL01 Purchase of Voting Machines**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 04-09-2018 (Unique ID: 705)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, no further environmental review is required for the proposed action, because the project or component of the project for which funding is requested:

- DOES NOT CONSTITUTE AN "ACTION" AS DEFINED UNDER SECTION 617.2(b)**
- IS CLASSIFIED AS TYPE II PURSUANT TO SECTION 617.5(c)(25):**
purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials.

COMMENTS: None.

DSK/kle

cc: Andrew Ferris, Chief of Staff
Lawrence Soule, Budget Director
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Lorraine Yazzetta, Associate Budget Analyst
Anthony Zaino, Director of Design
Edward Hoffmeister, Secretary to the Capital Projects Committee
William Brady, Associate Planner
Claudia Maxwell, Associate Environmental Planner

Attachment: BOND ACT-BEL01-Purchase of Voting Machines-FINAL (11003 : BOND ACT-BEL01-Purchase of Voting Machines)

REFERENCE BELOW

ACT NO. -20____

BOND ACT AUTHORIZING THE ISSUANCE OF \$6,146,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE ACQUISITION OF VOTING MACHINES; STATING THE TOTAL ESTIMATED MAXIMUM COST THEREOF IS \$6,146,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$6,146,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted , 20____)

BE IT ENACTED BY THE COUNTY BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Board), AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and to the provisions of other laws applicable thereto, \$6,146,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the acquisition of voting machines, all as set forth in the County's Current Year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County, such Budget shall be deemed and is hereby amended. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$6,146,000. The plan of financing includes the issuance of \$6,146,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds and notes.

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Attachment: BOND ACT-BEL01-Purchase of Voting Machines-FINAL (11003 : BOND ACT-BEL01-Purchase of Voting Machines)

Section 2. The period of probable usefulness of said class of objects or purposes, within the limitations of Section 11.00 a. 31 of the Law, is ten (10) years.

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Bond Act, in the maximum amount of \$6,146,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The estimate of \$6,146,000 as the estimated total cost of the aforesaid objects or purposes is hereby approved, and as the amount of bonds herein authorized is not in excess of \$10,000,000, this Act is not subject to referendum.

Section 5. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by section 52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

* * *

STATE OF NEW YORK)
: ss.:
COUNTY OF WESTCHESTER)

I HEREBY CERTIFY that I have compared the foregoing Act No. -20___ with the original on file in my office, and that the same is a correct transcript therefrom and of the whole of the said original Act, which was duly adopted by the County Board of Legislators of the County of Westchester on , 20___ and approved by the County Executive on , 20___.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County Board of Legislators this day of 20___.

(SEAL)

Clerk and Chief Administrative Officer of the County Board of Legislators of the County of Westchester, New York

Attachment: BOND ACT-BEL01-Purchase of Voting Machines-FINAL (11003 : BOND ACT-BEL01-Purchase of Voting Machines)

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 20____ and approved by the County Executive on _____, 20____ and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

Complete copies of the Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

ACT NO. _____-20____

BOND ACT AUTHORIZING THE ISSUANCE OF \$6,146,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE ACQUISITION OF VOTING MACHINES; STATING THE TOTAL ESTIMATED MAXIMUM COST THEREOF IS \$6,146,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$6,146,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20____)

object or purpose: to finance the acquisition of voting machines, all as set forth in the County's Current Year Capital Budget, as amended.

amount of obligations to be issued and period of probable usefulness: \$6,146,000; ten (10) years

Dated: _____, 20____
White Plains, New York

Clerk and Chief Administrative Officer of the County Board of Legislators
of the County of Westchester, New York

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CAPITAL PROJECT FACT SHEET

Project ID:* CBA Fact Sheet Date:*
 BEL01 03-14-2018
 Fact Sheet Year:* Project Title:* Legislative District ID:
 2018 PURCHASE OF VOTING MACHINES
 Category* Department:* CP Unique ID:
 BUILDINGS, LAND & BOARD OF ELECTIONS 705
 MISCELLANEOUS

Overall Project Description

Purchase of Voting Machines as stipulated in the Help America Vote Act (HAVA).

- Best Management Practices
- Energy Efficiencies
- Infrastructure
- Life Safety
- Project Labor Agreement
- Revenue
- Security
- Other

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2018	2019	2020	2021	2022	Under Review
Gross	8,620	4,000	4,620	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	8,620	4,000	4,620	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of: 2,366

Current Bond Description: FUNDING IS REQUESTED FOR THE PURCHASE OF ADDITIONAL VOTING MACHINES.	
Financing Plan for Current Request:	
Non-County Shares:	\$ 0
Bonds/Notes:	6,146,000
Cash:	0
Total:	\$ 6,146,000

SEQR Classification:
TYPE II

Amount Requested:
6,146,000

Comments:
PURCHASE OF VOTING MACHINES AS STIPULATED IN THE HELP AMERICA VOTE ACT (HAVA)

Energy Efficiencies:

Appropriation History (in thousands):

Year	Amount	Description
2006	4,000,000	PURCHASE OF VOTING MACHINES
2018	4,620,000	PURCHASE OF 420 PLAN B DISABILTY VOTING MACHINE

Total Appropriation History:
8,620,000

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Financing History (in thousands):

Year	Bond Act #	Amount	Issued	Description
08	68	472,000	472,000	LOCAL COST OF VOTING MACHINES ETC. UNDER FEDERAL HAVA
10	12	2,002,000	1,905,000	LOCAL SHARE OF COST OF VOTING MACHINES FOR BD. OF ELECTIONS

Total Financing History:

2,474,000

Recommended By:**Department of Planning**

WBB4

Date

04-09-2018

Department of Public Works

RJB4

Date

04-09-2018

Budget Department

LMY1

Date

04-10-2018

Requesting Department

JAV4

Date

04-10-2018

PURCHASE OF VOTING MACHINES (BEL01)

User Department : Board of Elections

Managing Department(s) : Board of Elections ; Public Works ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project without physical planning aspects of concern to the Westchester County Planning Board.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2018	2019	2020	2021	2022	Under Review
Gross	8,620	4,000	2,366	4,620					
Non County Share									
Total	8,620	4,000	2,366	4,620					

Project Description

Purchase of Voting Machines as stipulated in the Help America Vote Act (HAVA).

Current Year Description

The current year request funds the purchase of 420 Plan B (disability) voting machines.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2018	4,620,000			4,620,000

Impact on Operating Budget

The impact on the Operating Budget is the debt service associated with the issuance of bonds. In addition, as the maintenance and storage of the voting machines will be the responsibility of the County, there will be a need to have a facility in which to store the machines, as well as, personnel to maintain. This will result in either rental costs or debt service to purchase and rehabilitate an existing building, in addition to the increased personnel costs.

Appropriation History

Year	Amount	Description	Status
2006	4,000,000	Purchase of voting machines	\$2,474,000 - COMPLETE; \$1,526,000 - AWAITING BOND AUTHORIZATION
Total	4,000,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	4,000,000	2,377,000	1,623,000
Total	4,000,000	2,377,000	1,623,000

**PURCHASE OF VOTING MACHINES
(BEL01)**

Bonds Authorized						
Bond Act	Amount	Date Sold	Amount Sold	Balance		
68 08	472,000	02/04/09	247,000			
		11/30/11	194,576			
12 10	2,002,000	11/30/11	30,424			
		12/02/10	1,550,000			97,000
		12/02/10	(1,550,000)			
		11/30/11	1,661,577			
		11/30/11	243,423			
Total	2,474,000		2,377,000			97,000

ImageCast Evolution – Efficient, Cost-Effective, Universal Voting Technology

The ImageCast Evolution is a precinct-level, digital scan, ballot marker and tabulator that is designed to perform three major functions:

- Ballot scanning and tabulation
- Ballot review and second chance voting
- Accessible voting and ballot marking

The ImageCast Evolution is Dominion's most advanced and simple to use tabulator. It features a full LCD interface that presents a unique, all-in-one digital ballot scanning and internal ballot marking solution.

Usability & Maintenance

The ImageCast Evolution and its accessible voting components were designed to be “plug and play”, making both precinct optical scanners very straight forward and quick to set up.

Features & Benefits:

- The ImageCast Evolution is simple to set up – a single power switch and lifting of the main monitor will start up the unit.
- CF card slots, as well as iButton pad and cable connections, are positioned on the right side of the unit for easy access by a poll worker.
- Overall lighter weight (approximately 130lbs).
- The integrated printer is easily accessible from the back of the unit, allowing a seamless process to replace ink cartridges. The ImageCast Evolution also uses a single black ink cartridge, versus two on the ImageCast Precinct Ballot Marking Device.
- The ImageCast Evolution features an internal backup battery, resulting in no UPS.

Display

The ImageCast Evolution features the largest touchscreen in the industry, providing your technicians and poll workers an attractive, dynamic and straightforward interface to perform all administrative and technical functions. The 19” LCD full color touchscreen was designed with user experience in mind and incorporates best practices such as large font size and adequate contrast.

Features & Benefits:

- The ImageCast Evolution features a single display, which is used to provide voter messages, accessible voting, and administrative menus. The display is attached to the unit and does not require special maneuvering to be positioned in place.
- The use of colors and large buttons on the display enable a user-friendly experience for technicians and voters.

- Includes integrated plastic folding privacy panels. No additional components required to maintain voter's privacy at the tabulator.
- Integrated privacy shields and screen cover for main display ensure the voter's privacy when scanning or marking their ballot.
- The ImageCast Evolution shows two counters on the main display – one showing the total number of ballot cards cast and the other counter shows the total number of voters. This gives the voter confidence that their ballot has been successfully cast and tabulated.

Scanner

The ImageCast Evolution provides several different options for certain ballot parameters. For example, a jurisdiction can configure the ImageCast Evolution to automatically accept, reject or divert a ballot under certain conditions. Additionally, it can be configured to alert the voter or operator of any errors that require further action to be taken. The ImageCast Evolution is also equipped with an ultra-sonic multi-feed detector that prevents the device from accepting more than one ballot a time.

Features & Benefits:

- Improved ballot entry and roller mechanism, significantly reducing paper jams.
- Integrated printer, which is easily accessible from the back of the unit.
- The ImageCast Evolution functionality includes scanning and ballot marking for all targets on ballots ranging from sizes of 8 ½ inches by 11 to 22 inches in length.

Accessibility

The ImageCast Evolution is an all-in-one optical scan precinct tabulator that accommodates all voters on the same unit, using the same ballot for ADA and standard voting. The ImageCast Evolution also tabulates ballots through an ADA voting session, without the voter requiring assistance or “walking around”, thus ensuring the privacy of his or her ballot.

Features & Benefits:

- All voters, regardless of ability, use the same ballot, eliminating the need for blank ballot stock.
- The ImageCast Evolution features a single ballot path – all ballots are processed through the same input and output slot, so there is no need to transfer the ballot from a marking device to the scanner.
- AVS ballots inserted, marked, processed and scanned in the same unit, eliminating the need to handle the ballot throughout the voting process and ensuring complete voter privacy.
- There is no separate printer, duplexer, device, etc. for ballot marking. All ballots are scanned and marked on the same device.
- Improved system responsiveness during an audio session, allowing voters with accessibility needs to mark their ballot efficiently.
- There are no additional ADA tables, memory cards or motherboards required.

Security

Dominion implements security protocols that meet or exceed EAC VVSG 2005 requirements. All of Dominion's security protocols are designed and implemented to stay current with the rapidly evolving EAC security requirements set forth by various iterations of the VVSG.

Features & Benefits:

- Greater login and security configurations, with action driven login configuration.
- Democracy Suite utilizes hardware-based security tokens (iButton security keys) in the process of access control for ImageCast Evolution tabulators. These password paired hardware tokens contain data encryption information used in the voting process (encryption and signing keys). Without a valid security token, and paired access password, the administrative functions of election tabulators are effectively locked.

Ballot Box

Dominion has designed an innovative, complementary ballot box, pictured below, for our precinct tabulators. It is built of sturdy plastic, and features four large lockable swivel wheels and handles on all sides for ease of movement, allowing the units to be securely transported to and from the polling place.

Since it has no internal moving parts, the ballot box can also accommodate Election Day supplies when it is not storing ballots. For security purposes, the ballot box features five locks and multiple security seal points to limit access and prevent tampering.

Features & Benefits:

- Made from solid extruded plastic and features an interchangeable lid and internal bin baffles that vary by tabulator.
- Built to the requirements of the EAC, the ballot box capacity is sized to US polling place requirements, with 3 bins (main bin, write-in bin, and auxiliary/emergency bin). The write-in and auxiliary bins are removable.
- Offers multiple deployment and warehousing options, including the possibility of nesting the boxes up to three units deep.
- The tabulator locks and seals onto the ballot box, which features a cover that provides additional security and ease of transportation.
- Features a sealed plastic base and is water resistant.
- Top of ballot box allows easy storage of ATI, headset, and power cord.